Pendency of cases in Karnataka

1295. SHRI H.K. JAVARE GOWDA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the disposal of cases under 125 Cr. PC. are taking long time;

(b) if so, the details of cases pending in the courts of Karnataka for last three years under section 125 Cr. PC. year-wise and district-wise;

(c) whether it is a fact that the amount fixed under this section is too meagre;

(d) if so, the steps Government propose to take in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHI): (a) and (b) Disposal of cases by courts is monitored by the respective High Courts. Figures of pendency of cases under section 125 Cr. P.C. in courts are not maintained in the Department of Justice.

(c) and (d) Section 125 of the Code of Criminal Procedure, 1973 has been amended and the ceiling of maintenance allowance has been done away with. The amendment also provides for interim maintenance and expenses for proceedings, as far as possible, within 60 days from the date of service of the notice. The amendment to section 125 Cr. P.C. came into force with effect from 24th September, 2001.

Fast track court scheme

1296. SHRI GHULAM NABI AZAD: Will the Minister of LAW AND JUSTICE be please to state:

(a) whether in the month of May, 2002, the Supreme Court upheld the validity of its fast track court scheme aimed at substaintially reducing the pendency of a whooping over two crore cases in the lower courts;

(b) if so, the total fast tract courts at present functioning in the States;

(c) how many of them have already cleared the cases; and

(d) to what extent the fast track court scheme has reduced the arrears in lower courts in the country?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHI): (a) Yes, Sir. the Hon'ble Supreme Court in its Judgement dated 6th May, 2002 in the case of Brij Mohan Lal *Vs.* Union

of India & Others have upheld the validity of fast track courts scheme and have also issued certain directions for the smooth functioning of fast track courts and the monitoring of their performance by the High Court.

(b) As per available information, 706 fast track courts were functional in the States as on 30th June, 2002.

(c) As per available information, 58,662 cases have been disposed of by the fast track courts.

(d) The fast track court scheme is mainly aimed at expeditious disposal of long pending sessions cases and cases involving undertrials who have been in jails for a long time. As per available information, 1,35,502 long pending cases have been transferred to fast track courts out of which 58,662 cases have been disposed off so far.

Disposal of pending cases in High Courts

1297. SHRI RADHA CHANDRA SEKAR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that more than five lakh cases are pending before the High Courts for more than a decade; and

(b) if so, the action taken to reduce the period of trail and burden on the parties for early disposal of pending cases?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHI): (a) Yes, Sir.

(b) Both the government and the Judiciary are concerned with the quick disposal of pending cases. Various steps have been taken by the Government for speeding up the disposal of these cases. These include simplification of rules and procedures on the basis of the advice and recommendations of expert bodies like the Law Commission, the Malimath Committee etc.

Civil Procedure Code has been amended and the amendments have been brought into force with effect from 1.7.2002 which, inter-alia, limit the number of adjournments which can be granted to a party to three, provide for speedy process service by speed post, courier services, fax or e-mail, authorise the court to fix time limit for oral arguments & provide for a nunber of other measures aimed at ensuring expeditious disposal of cases.